

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROYCE NEWCOMB,

Defendant.

BANK OF AMERICA, NA,

Garnishee.

No. 2:20-mc-00298-MCE-KJN

ORDER

On December 19, 2022, the magistrate judge filed findings and recommendations herein which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. No objections were filed.

Accordingly, the Court presumes that any findings of fact are correct. See Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983).


The Court has reviewed the applicable legal standards and, good cause appearing, concludes that it is appropriate to adopt the Proposed Findings and Recommendations in full.

Accordingly, IT IS ORDERED that:

1. The Proposed Findings and Recommendations filed December 19, 2022, are ADOPTED;
2. The United States' Request for Findings and Recommendations for Final Order of Continuing Garnishment is GRANTED;
3. Garnishee Bank of America, NA, is directed to pay the Clerk of the United States District Court all funds held by Garnishee in which Debtor has an interest within fifteen (15) days of the filing of the Final Order. Payment shall be made in the form of a check, money order, or company draft, made payable to the "Clerk of the Court" and delivered to: Office of the Clerk 501 I St., Rm. 4-200 Sacramento, CA 95814. The criminal docket number (2:11-CR-00172-MCE) shall be stated on the payment instrument;
4. The Court shall retain jurisdiction to resolve matters through ancillary proceedings in the case, if necessary; and
5. The garnishment shall terminate when the payment is deposited with the Clerk of the Court.

IT IS SO ORDERED.

Dated: February 11, 2023


MORRISON C. ENGLAND, JR.
SENIOR UNITED STATES DISTRICT JUDGE